

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 17, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-17999 - APPLICANT: LASCAL CORPORATION -
OWNER: LASCAL CORPORATION**

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan date stamped 12/05/06, and landscape plan and building elevations date stamped 11/06/06, except as amended by conditions herein.
3. A Waiver of Title 19 – Section 19.12 Commercial Development landscape standards is hereby approved to allow a zero foot landscape buffer along interior lot lines where 8-feet is the required minimum, and a 5 foot landscape buffer where 15 feet is the required minimum along public right-of-way.
4. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for building permit to reflect the changes herein: Modify the site plan to provide a 15-foot by 25-foot loading parking space per Title 19 Commercial Development parking standards.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

7. Prior to the issuance of the Building Permit, revised elevations shall be submitted to the Planning and Development Department to depict a screened and covered trash enclosure in accordance with Title 19 – Section 19.08.050 Commercial Development Standards.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Dedicate a 14 foot right turn lane along the east side of Decatur Boulevard adjacent to this site prior to the issuance of any permits.
15. Grant a Traffic Signal Chord Easement at the southeast corner of Charleston Boulevard and Decatur Boulevard prior to the issuance of any permits.
16. Coordinate the construction of any new improvements with the City Engineer's Section of the Department of Public Works.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Driveways on Charleston Boulevard shall be designed, located and constructed in accordance with Standard Drawing #222a; Driveways on Decatur Boulevard shall meet the approval of the Nevada Department of Transportation (N.D.O.T.).

18. Landscape and maintain all unimproved rights-of-way, if any, on Charleston Boulevard and Decatur Boulevard adjacent to this site.
19. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The proposed project is a request for a Site Development Plan Review for a proposed 2,227 square-foot restaurant with drive-through and a Waiver to allow a zero foot landscape buffer along interior property lines where 8-feet is the required minimum and a 5 foot landscape buffer where 15 feet is the required minimum along public right-of-way. The project site is located on 0.52 acres at 4717 West Charleston Boulevard, southeast corner of Decatur Road at West Charleston Boulevard. A companion Variance (VAR-17998) for a reduction in required commercial parking shall be considered concurrently with this Site Development Plan Review.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended approval of companion item VAR-17998 concurrently with this application. The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #7/ja).
<i>Pre-Application Meeting</i>	
06/23/06	A Pre-application meeting was held with the applicant. The applicant was advised of Title 19 Commercial Development Standards related to parking, signage, and the requirement for a Waiver of perimeter landscaping. In addition, public works requires a Right-of-Way dedication along Decatur Road.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application nor was one held.	

Details of Application Request:

<i>Site Area</i>	
Gross Acres	0.52 acres

Land Use and Zoning:

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Restaurant with drive-through	SC (Service Commercial)	C-1 (Limited Commercial)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
East	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
West	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)

Area Plans and Special Districts/Overlays:

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District	Y		Y
Trails		N	Y
Rural Preservation Overlay District		N	Y
Development Impact Notification Assessment		N	Y
Project of Regional Significance		N	Y

DEVELOPMENT STANDARDS

The following commercial development standards from Section 19.08.050 of Title 19 apply to the project site:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100	103	Y
Min. Setbacks			
• Front	20	26	Y
• Side	10	20	Y
• Corner	15	100	Y
• Rear	20	40	Y
Max. Lot Coverage	50 percent	10 percent	Y
Max. Building Height	NA	25	Y
Trash Enclosure	Y	Y	Y

In accordance with Title 19.10 and 19.12, the following landscape standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Trees/6 Spaces	2 Trees	2	Y
Buffer: Min. Trees	1 Trees/30 Linear Feet	4 trees along west property line 4 trees along north property line 4 trees along east property line 4 trees along south property line	4 4 4 3	N
TOTAL		18 trees	17 trees	N*
Min. Zone Width	15 Feet along Right-of-Way 8 Feet along interior lot lines		20 Feet 0 Feet	N*
Wall Height	8 feet maximum		4 feet	Y

*A Waiver to allow reduction in perimeter landscape buffering requirements is requested.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Service Commercial	2,227	1/100 gross floor area	23	1	15	1	N*
TOTAL (including handicap)			23		15		N
Loading Spaces	<10,000 square feet		1		1		Y
Percent Deviation (VAR only)						35 PERCENT	N

*A companion Variance (VAR 17998) shall be considered with this request.

Waivers		
Request	Requirement	Staff Recommendation
Waiver of perimeter landscaping zone standards	15 feet zone along Right- of-Way 8 feet zone for interior lot lines	Approve

ANALYSIS

The project proposes the demolition of an existing restaurant with drive-through to allow for construction of a new 2,227 square foot restaurant with drive-through.

- General Plan

The proposed restaurant is consistent with the SC (Service Commercial) use as designated in the General Plan.

- Zoning

The proposed restaurant will be located within the C-1 (Limited Commercial) zone. A restaurant 2,000 square feet and greater with drive-through is a permitted use with conditions.

- Site Plan

The proposal involves construction of a one story 2,275 square foot restaurant with drive through at the intersection of West Charleston and Decatur Road.

- Landscape and Parking Plan

City Public Works requires a 14-foot Right-of-Way (ROW) dedication on Decatur Road along the northern property line to allow for a right turn lane from Decatur Road onto eastbound West Charleston. The dedication will result in site constraints which will directly affect the ability of the project to meet Title 19 perimeter landscaping and parking standards. A Waiver of the commercial development landscape standards is requested to relieve the applicant from the requirement of a 15-foot landscape buffer zone for property lines abutting public Right-of-Way and an 8-foot zone along interior lot lines. Furthermore, Title 19 parking standards requires 1 space for every 100 square feet of gross floor area. The project proposes 15 parking spaces where 23 is the minimum required. A companion Variance (17998) shall be considered with this application to address the parking deficiency.

Additionally, the required loading parking space is not designed to Title 19 standards. A condition of approval will be incorporated into the project requiring the submission of revised parking plans showing a 15-foot by 25-foot loading space. The landscape Waiver will allow a zero setback along the loading space area.

- Elevations

The project elevations depict a modern architectural design featuring the use of earth tones, stucco finish with aluminum accents, and drystack stone. The new restaurant structure will be 25-feet at the highest point and includes wall and awning signage.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed restaurant will complement existing commercial development surrounding the project site.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The project is consistent with the General Plan land use designation for SC (Service Commercial) development. In addition, the proposal will not meet the commercial development, landscaping, and parking standards of Title 19 therefore the applicant requests approval of a Waiver of perimeter landscape standards as well as a Variance to allow a reduction in required parking. A condition of approval will be included to address compliance with Title 19 Commercial loading space standard dimensions.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Access onto the project site will be made via driveway access from Decatur Road as well as West Charleston Boulevard. The project would not adversely affect traffic circulation along either corridor.

4. **Building and landscape materials are appropriate for the area and for the City;**

The building and landscape materials proposed will complement existing surrounding development.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The project will implement a contemporary architectural design resulting in a building that blends well with surrounding structures and assists the city in meeting the intent of revitalization goals.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposal will not adversely affect human health and public safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 135 by Planning and Development Dept

APPROVALS 0

PROTESTS 0